

Statewide Burning Ban

Because of the increased risk of wildfires, the Governor has the authority to enact a burning ban using Code of Virginia [10.1-1158](#), which covers all state and private lands.

National Forest or National Park questions should be directed to their nearest office.

What is the Statewide burn ban law §10.1-1158?

This law prohibits all open burning because of the serious wildfire hazard.

It shall be unlawful when the forest lands, brush lands and fields in this Commonwealth or any part thereof have become so dry as to create a serious fire hazard endangering lives and property, for any persons to do any open burning nearer than 300 feet from any such forest lands, brush lands or fields containing dry grass or other flammable material.

This article shall not be effective until the Governor, upon recommendation of the State Forester, proclaims such a condition to exist in this Commonwealth or any part thereof, and it shall be in effect until the Governor proclaims such condition to have terminated.

Any person violating the provisions of this section shall be guilty of a Class 3 misdemeanor for each separate offense.

When is the Law in effect?

The law goes into effect October 19th, 1 minute after midnight and remains in effect around the clock until rescinded by the Governor.

Why is there such Law?

When wildfire conditions and weather conditions are in combination to cause or to possibly cause an extreme threat to the citizens of the Commonwealth and/or to the natural resources of Virginia, all possible actions must be taken to protect the citizens and the natural resources of the Commonwealth.

What is the main cause of wildfires in Virginia?

Debris burning is the No. 1 cause of wildfires, closely followed by intentionally set or "arson" fires.

How many wildfires burn in Virginia each year and how many acres are burned?

Virginia has records which date back to 1925, and our 30 year average is 1,449 fires for 8,338 acres per year. The most fires in one year occurred in 1941 when 3,697 fires were fought. The most acres burned in 1930. That year 333,023 acres burned.

Can I burn in a metal burn barrel?

Yes, if it is in good condition to contain all the flame and sparks within the barrel and if it has a ¼" or less mesh wire screen over the top.

Can I have a campfire if I put rocks around it?

No. Any and all campfires are considered open-air fires.

Can I have a pit fire?

Yes, IF.... A pit fire may be approved if it meets ALL of the following conditions: Fire is BELOW GROUND LEVEL, continuously monitored AND completely enclosed with cinderblocks AND a ¼" or smaller metal screen is placed over the enclosure. Extra precautions should be taken to clear a 20-foot circle of all flammable materials and have water available. Suppression costs associated with any escaped fire will be the responsibility of the fire starter.

Can a propane camp stove be used?

Yes, it is considered an approved contained stove.

Can a Coleman stove be used?

Yes, it is considered an approved contained stove.

Can I have an approved, enclosed solid fuel, stove in the National Forest?

You must contact the particular National Forest or National Park involved as their requirements may differ from the ones of the Statewide Burning Ban.

Can I operate a charcoal grill for a cook-out?

Yes, but only if the container that holds the charcoal briquettes is in excellent condition with NO holes and the container is covered with a ¼" wire mesh screen. The cooking grill can then be placed above this mesh screen.

Can I have a charcoal fire in one of the open grills in an approved, developed campground?

Yes. However it is recommended that you have a ¼ inch (maximum) metal wire screen over the charcoal.

Can I have a wood fire in one of the open charcoal grills in an approved, developed campground? No.

If I take all precautions with my fire and it does escape and ignites a wildfire, am I responsible for the suppression cost?

Yes. Although you may have taken all proper precautions and obtained any locally required permits, whoever started the fire is responsible should the fire escape.

What is the penalty for violating the statewide burn ban law?

Violation of the law is a Class 3 misdemeanor with a fine of not more than \$500.

Are building contractors and road construction jobs exempt from the law?

No. However, if the burning operations are greater than 300 feet from the woods or flammable grass/vegetation which would allow the fire to spread to the woods, the law does not apply.

Can I have a candle in my jack-o-lantern at Halloween?

Yes, if the candle is completely contained within the jack-o-lantern and the jack-o-lantern is not surrounded by dry leaves or vegetation.

Can LUMINARIES be used for holiday decorations?

No. LUMINARIES are a traditional holiday decoration in many homes and neighborhoods where a votive-type candle flame is set within a sand weighted paper bag and placed outdoors to light a walkway or other decoration. Candle LUMINARIES are considered an open flame – fire, and therefore not allowed if these

candles are within 300 feet of grass, leaves, woods or other flammable material that is capable of igniting a fire. It would be a violation of the ban on open burning. A highly recommended alternative would be to use electric or battery-operated lights or chemical glow sticks instead of candles.

Can a fire department have an open burn for pre-scheduled training?

No. There are no exceptions to this.

Can a fire department have a burn for training in a certified burn building?

Yes, but only in a certified burn building. NO OPEN burning allowed.